

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**MICHELLE BOURDELAIS,
on behalf of herself and behalf
of all others similarly situated,**

Plaintiff,

v.

Civil Action No. 3:10cv670

**JPMORGAN CHASE BANK, N.A.
and CHASE HOME FINANCE, LLC,**

Defendants.

**MOTION TO DISMISS COUNTS ONE, TWO
AND THREE OF THE AMENDED CLASS COMPLAINT**

Defendants, JPMorgan Chase Bank, N.A. and Chase Home Finance, LLC (“Chase”), by counsel, pursuant to Fed. R. Civ. P. 12(b)(6), moves to dismiss the Counts One, Two and Three of the Amended Class Complaint filed by Plaintiff, Michelle Bourdelais, for the reasons set forth in its accompanying memorandum in support filed simultaneously herewith.

WHEREFORE, Defendant Chase, by counsel, respectfully requests that the Court: (1) grant its motion to dismiss; (2) dismiss Counts One, Two and Three of the Amended Class Complaint; (3) award Chase its costs and expenses incurred herein; and (4) award Chase such further relief as the Court deems appropriate.

**JPMORGAN CHASE BANK, N.A.
and CHASE HOME FINANCE, LLC**

By:s/ David N. Anthony

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Virginia State Bar No. 31696

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of January, 2011, I electronically filed the foregoing Motion to Dismiss Counts One, Two and Three of the Amended Class Complaint with the Clerk of the Court using the CM/ECF System which will then send a notification of such filing (NEF) to the following:

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